

In re Patent Application of:
ROY
Serial No. 10/777,871
Filing Date: **February 12, 2004**

REMARKS

The Examiner is thanked for the courtesies extended during the telephonic interview of August 28, 2007. During the interview, the Examiner proposed amending the independent claims to recite the polling is initiated by the protocol engine module to more clearly define over the prior art. Accordingly, independent Claims 1, 12, 18, 24, and 29 have been so amended. Support for these amendments may be found in paragraphs 0012 and 0051 of the originally filed specification, for example. No new matter is being added.

The Examiner rejected Claims 1-33 over Fenton et al. Fenton et al. fails to disclose the protocol engine module is for initiating polling of the data storage devices as in the claimed invention. Instead, Fenton et al. simply teaches that in the system thereof voice mail messages in a voice mailbox may be accessed from a multimedia messaging user agent. Fenton et al. teaches that the MMC 202 polls a voice mailbox via POP3 or IMAP4 for newly received messages, and the user has to select messages that he/she wants to retrieve via the MMS service, which are then downloaded via POP3/IMAP4 from the voice mailbox to the MMC 202 for delivery to a user MMS User Agent 222 or 224.

Fenton et al. also fails to disclose the way in which MMC polls for new voice messages is based upon any UID associated with the voice messages. That is, Fenton et al. is silent as to how it is determined which voice messages are new and which are not. Also, Fenton et al. fails to disclose whether the MMC polling occurs responsive to a user-initiated request to check

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for new voice messages or not. As noted in paragraph 0051 of Fenton et al., the purpose of the system is to enable the user to retrieve voice messages via real time voice mail services or as a multimedia message. Fenton et al. fails to teach all of the recitations of the above-noted amended independent claims.

In view of the amendments to the claims, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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